



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

FEB - 6 2007

Carol Earnhardt  
Brian Kennedy for Congress  
P.O. Box 670  
Bettendorf, IA 52722

RE: MUR 5691

Michael Whalen; Whalen for Congress and Kirk E. Whalen, in his  
official capacity as treasurer; Iowa Machine Shed Co.; Carmen  
Darland; Brian Dumas; Steve Grubbs; and Victory Enterprises, Inc.

Dear Ms. Earnhardt:

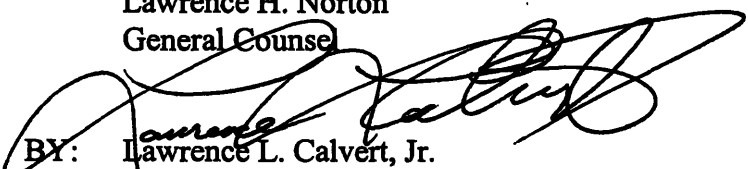
On January 11, 2007, the Federal Election Commission reviewed the allegations in your complaint dated November 30, 2005, and found that on the basis of the information provided in your complaint, information provided by the respondents and publicly available information, there is no reason to believe that the above referenced respondents violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, on January 11, 2007, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report is enclosed for your information.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence H. Norton  
General Counsel

BY:   
Lawrence L. Calvert, Jr.  
Deputy Associate General Counsel  
for Enforcement

Enclosure  
General Counsel's Report

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